

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM GARCIA,
for himself and all others similarly situated,

Plaintiff,

v.

VERTICAL SCREEN, INC.,
Defendant.

Case No. 18-cv-4718

NOTICE OF LAWSUIT

This Notice was authorized by the United States District Court for the Eastern District of Pennsylvania. This is not a solicitation from a lawyer.

WHY HAVE I RECEIVED THIS NOTICE?

This Notice was mailed to you because you have worked as a full-time, hourly-paid Vertical Screen Researcher or Team Leader the past three years. This Notice is meant to tell you about a lawsuit that may relate to you, explain your rights and help you join the lawsuit if you so choose.

WHAT IS THE LAWSUIT ABOUT?

William Garcia (“Plaintiff”) filed a lawsuit against Vertical Screen, Inc. (“Defendant”) under the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et seq.* (“FLSA”) and the Pennsylvania Minimum Wage Act, 43 P.S. §§ 333.101 *et seq.* (“PMWA”). Plaintiff complains that Defendant violated these laws by:

1. Requiring Researchers and Team Leaders to spend 10-15 minutes per day logging-in on a computer to access the ADP timekeeping system, logging-in to the ADP timekeeping system, addressing hardware and software problems that require them to perform updates, reconfigure passwords, repeat the log-in process until their log-in is accepted and, when the log-in process is not successful, e-mailing their supervisor to describe their log-in problems and advise that they are at work; and
2. Allowing department managers and/or supervisors to “shave” one to two hours per month off Researchers’ and Team Leaders’ recorded work time to reduce the Company’s labor costs.

Plaintiff complains that Defendant knew about these claimed wage violations, but did not correct them, and seeks to recover money damages for these violations for all full-time, hourly-paid Vertical Screen Researchers and Team Leaders who join this lawsuit.

Defendant denies that it has committed the violations described above. Defendant claims that its policies and procedures comply with the law and that Plaintiff, and all other full-time, hourly-paid Vertical Screen Researchers and Team Leaders have been correctly paid for the work they performed.

WHAT IS THE STATUS OF THE CASE?

The Court has authorized notice to be issued to all people who have worked as a full-time, hourly-paid Vertical Screen Researcher or Team Leader in the past three years. The Court has taken no position on the merits of Plaintiff’s claims or Defendant’s defenses. This Notice is not an expression by the Court about the merits of this

case, or whether Plaintiff's claims can be litigated on a class-wide basis. If the Court ultimately determines you are not similarly situated to the Plaintiff, your claim may be dismissed.

WHO CAN JOIN THE CASE?

All people who have worked as a full-time, hourly-paid Vertical Screen Researcher or Team Leader in the past three years are eligible to join this case.

WHAT IS THE EFFECT OF JOINING THIS CASE?

If you join this case, you and Defendant will be bound by any ruling or judgment the Court enters, whether favorable or unfavorable. While the lawsuit is proceeding, you may be required to provide Defendant with documents, information, or testimony relating to your claim. By joining the lawsuit, you designate Plaintiff as your agent and authorize him to make decisions concerning all matters pertaining to this lawsuit. If this lawsuit recovers money for the Class and you possess a valid, timely claim, you may be entitled to a payment in return for a release of your claim.

If you do not join this case, you will retain any rights you may have under the FLSA and PMWA. You will not be bound by any ruling or judgment the Court enters. You will not have any responsibilities with respect to the case. However, if this lawsuit recovers money for the Class, you will not receive a payment.

HOW CAN I JOIN THE CASE?

You can join the case by completing the attached Consent Form and mailing, faxing, or e-mailing it to:

Stephan Zouras, LLP
Attn: Vertical Screen Wage Lawsuit
100 N. Riverside Plaza, Suite 2150
Chicago, IL 60606
Phone: (312) 233-1550
Fax: (312) 233-1560
E-mail: lawyers@stephanzouras.com

Your Consent Form must be postmarked or e-mailed by **[60 days from mailing date]**. Plaintiff will file all properly completed and delivered Consent Forms with the Court. If you do not wish to join this lawsuit, do not return the Consent Form. Whether you join this lawsuit is entirely up to you.

STATUTE OF LIMITATION ISSUES

Federal law sets certain deadlines for employees to bring wage and hour claims. The longest period of time an employee can wait before bringing these claims is three years. If you do not join this lawsuit now, the statute of limitations may prevent you from doing so later.

YOUR LEGAL REPRESENTATION IF YOU JOIN

If you return the Consent Form to join this lawsuit, you will be represented by David J. Cohen of Stephan Zouras LLP (Philadelphia, PA) and James B. Zouras of Stephan Zouras LLP (Chicago, IL). These attorneys have taken this case on a contingency basis meaning that, if this lawsuit results in a payment to the Class, they will ask the Court to approve a fee for their work and reimbursement of their case-related costs. However, if this lawsuit does not result in a payment to the Class, these attorneys will not receive any payment or reimbursement.

Please do not contact the Court with questions about this lawsuit or this Notice

CONSENT TO BECOME A PARTY PLAINTIFF

Garcia v. Vertical Screen, Inc.,
E.D. Pa. Case No. 18-cv-4718

Please complete and mail, fax or e-mail both pages of this form to:

Stephan Zouras, LLP
Attn: Vertical Screen Wage Lawsuit
100 North Riverside Plaza, Suite 2150
Chicago, IL 60606
Phone: (312) 233-1550
Fax: (312) 233-1560
E-mail: lawyers@stephanzouras.com

By signing below, I affirm that I have been employed as a full-time, hourly-paid Vertical Screen Researcher or Team Leader in the past three years and hereby consent to join this lawsuit seeking unpaid overtime wages based on Defendant's alleged violations of the Fair Labor Standards Act, 29 U.S.C. § 201, *et. seq.*

I designate Stephan Zouras LLP, and any other attorneys with whom they may associate, to represent me for all purposes of this action.

I designate the Class Representative as my agents to make decisions on my behalf concerning the litigation, the method and manner of conducting this litigation, settlement, the entering of an agreement with Plaintiffs' counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

If this case does not proceed collectively, then I also consent to join any subsequent action to assert these claims.

Today's Date

Your Signature

Clearly Print Your Name

***** This Page Will Not Be Filed With the Court *****

PLEASE PRINT CLEARLY

NAME: _____

TELEPHONE NUMBER: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

E-MAIL ADDRESS: _____

DATES OF EMPLOYMENT AT VERTICAL SCREEN, INC.:
